

**DECLARATION**

As a below-named inventor, I declare that:

As a below-named inventor, I declare that:

My residence, post office address and citizenship are as stated below next to my name; I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: **ACELLULAR MATRIX GRAFTS: PREPARATION AND USE** the specification of which \_\_\_\_\_ is attached hereto or X was filed on December 19, 1997 as Application No. 08/994,838 and was amended on \_\_\_\_\_ (if applicable).

I understand the contents of the above-identified specification, including the claims, as amended by any amendment thereto, and I agree to disclose information which is material to the examination of this application in accordance with the provisions of 35 U.S.C. 112(b) and 37 CFR 1.54(b). I claim foreign priority benefits under Title 35, United States Code, Chapter 31, Section 102(b) and have also identified below any foreign applications in which priority is claimed.

PREPARATION AND USE the specification of which \_\_\_\_\_ is attached hereto (if applicable).  
Application No. 08/994,838 and was amended on \_\_\_\_\_

I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56. I claim foreign priority benefits under Title 35, United States Code, Section 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

	Priority Claimed Under 35 USC 119

**Prior Foreign Application(s)**

Country	Application No.	Date of Filing	Priority Claimed Under 35 USC 119
			Yes <input type="checkbox"/> No <input type="checkbox"/>
			Yes <input type="checkbox"/> No <input type="checkbox"/>

I hereby claim the benefit under Title 35, United States Code §119(e) of any United States provisional application(s) listed below:

Application No.	Filing Date

Application No.	Filing Date

I claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, section 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

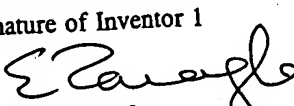
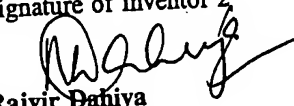
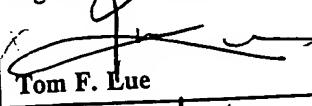
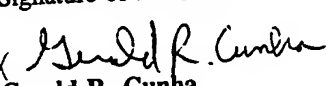
	Date of Filing	Status
		Pending — Abandoned

Application No.	Date of Filing	Status		
		<input type="checkbox"/> Patented	<input type="checkbox"/> Pending	<input type="checkbox"/> Abandoned
		<input type="checkbox"/> Patented	<input type="checkbox"/> Pending	<input type="checkbox"/> Abandoned
		<input type="checkbox"/> Patented	<input type="checkbox"/> Pending	<input type="checkbox"/> Abandoned

Full Name of Inventor 1	Last Name <b>TANAGHO</b>	First Name <b>EMIL</b>	Middle Name or Initial <b>A.</b>	
Residence & Citizenship	City <b>San Rafael</b>	State/Foreign Country <b>California</b>	Country of Citizenship <b>U.S.A.</b>	
Post Office Address	Post Office Address <b>408 Biscayne Drive</b>	City <b>San Rafael</b>	State/Country <b>California</b>	Zip Code <b>94901</b>
Full Name of Inventor 2	Last Name <b>DAHIYA</b>	First Name <b>RAJVIR</b>	Middle Name or Initial	
Residence & Citizenship	City <b>San Carlos</b>	State/Foreign Country <b>California</b>	Country of Citizenship <b>U.S.A.</b>	
Post Office Address	Post Office Address <b>996 Springfield Drive</b>	City <b>San Carlos</b>	State/Country <b>California</b>	Zip Code <b>94070</b>
Full Name of Inventor 3	Last Name <b>LUE</b>	First Name <b>TOM</b>	Middle Name or Initial <b>F.</b>	
Residence & Citizenship	City <b>Hillsborough</b>	State/Foreign Country <b>California</b>	Country of Citizenship <b>U.S.A.</b>	
Post Office Address	Post Office Address <b>35 Redwood Drive</b>	City <b>Hillsborough</b>	State/Country <b>California</b>	Zip Code <b>94010</b>
Full Name of Inventor 4	Last Name <b>CUNHA</b>	First Name <b>GERALD</b>	Middle Name or Initial <b>R.</b>	
Residence & Citizenship	City <b>Foster City</b>	State/Foreign Country <b>California</b>	Country of Citizenship <b>U.S.A.</b>	
Post Office Address	Post Office Address <b>1016 Windjammer Circle</b>	City <b>Foster City</b>	State/Country <b>California</b>	Zip Code <b>94404</b>
Full Name of Inventor 5	Last Name	First Name	Middle Name or Initial	
Residence & Citizenship	City	State/Foreign Country	Country of Citizenship	
Post Office Address	Post Office Address	City	State/Country	Zip Code
Full Name of Inventor 6	Last Name	First Name	Middle Name or Initial	
Residence & Citizenship	City	State/Foreign Country	Country of Citizenship	
Post Office Address	Post Office Address	City	State/Country	Zip Code

Appln. No. 08/994,838

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Signature of Inventor 1 X  Emil A. Tanagho	Signature of Inventor 2 X  Rajvir Dahiya	Signature of Inventor 3 X  Tom F. Lue
Date 4/6/98	Date X 4/3/98	Date X 4/8/98
Signature of Inventor 4 X  Gerald R. Cunha		
Date X 4/7/98		

DEC 6 1998

F:\DATA\PS\PTODVHD\82058.1

Applicant or Patentee: Dr. Emil A. Tanagho, et al.  
Serial or Patent No.: 08/994,838  
Filed or Issued: December 19, 1997  
For: ACELLULAR MATRIX GRAFTS: PREPARATION AND USE

Docket No. 02307-5-0700  
U. C. Case No. 97-262-1

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS**  
**[37 CFR § 1.9(f) and § 1.27(d)]-NONPROFIT ORGANIZATION**

I hereby declare that I am an official empowered to act on behalf of the nonprofit organization identified below:

NAME OF ORGANIZATION: The Regents of the University of California  
ADDRESS OF ORGANIZATION: 1111 Franklin Street, Fifth Floor  
Oakland, California 94607-5200

**TYPE OF ORGANIZATION**

- ☒ UNIVERSITY OR OTHER INSTITUTION OF HIGHER EDUCATION  
☒ TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE [26 USC § 501(a) and § 601(c) (3)]  
☐ NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OR THE UNITED STATES OF AMERICA  
(NAME OF STATE \_\_\_\_\_)  
(CITATION OF STATUTE \_\_\_\_\_)  
☐ WOULD QUALIFY AS TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE [26 USC § 501(a) and § 501(c) (3)] IF  
LOCATED IN THE UNITED STATES OF AMERICA  
☐ WOULD QUALIFY AS NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED STATES  
OF AMERICA IF LOCATED IN THE UNITED STATES OF AMERICA  
(NAME OF STATE \_\_\_\_\_)  
(CITATION OF STATUTE \_\_\_\_\_)

I hereby declare that the nonprofit organization identified above qualifies as a nonprofit organization as defined in 37 CFR § 1.9(a) for purposes of paying reduced fees under section 41(a) or (b) of Title 35, United States Code with regard to the invention entitled ACELLULAR MATRIX GRAFTS: PREPARATION AND USE

by inventor(s) Dr. Emil A. Tanagho, Dr. Raj Dahiya, Dr. Tom F. Lue, Dr. Gerald Cunha described in

- ☐ the specification filed herewith  
☒ application serial no. 08/994,838, filed December 19, 1997  
☐ Patent no. \_\_\_\_\_, issued \_\_\_\_\_

I hereby declare that rights under contract or law have been conveyed to and remain with the nonprofit organization with regard to the above identified invention [except for a license to a Federal Agency pursuant to USC § 202 (c) (4)].

If the rights held by the nonprofit organization are not exclusive, each individual, concern, or organization having rights to the invention is listed below\* and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR § 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR § 1.9(d) or a nonprofit organization under 37 CFR § 1.9(e).  
\*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities (37 CFR § 1.27).

NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. [37 CFR § 1.28(b)]

I hereby declare that all statements made of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine of imprisonment, or both, under 18 USC § 1001, and may jeopardize the validity of the application, any patent issuing thereon, or any patent which this verified statement is directed.

NAME OF PERSON SIGNING: Linda S. Stevenson  
TITLE IN ORGANIZATION: Principal Prosecution Analyst, Office of Technology Transfer  
ADDRESS OF PERSON SIGNING: 1111 Franklin Street, Fifth Floor  
Oakland, California 94607-5200

SIGNATURE \_\_\_\_\_

Linda S. Stevenson

DATE 5/5/98

on

May 5, 1998

May 5, 1990  
TOWNSEND and CREW LLP  
A. J. Antonini

By Kathryn A. DeGiantoni

PATENT

Attorney Docket No. 02307E-080700US  
UC Case No. 97-262-1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Emil A. Tanagho, et al.

Appln. No.: 08/994,838

Filed: December 19, 1997

For: **ACELLULAR MATRIX GRAFTS:  
PREPARATION AND USE**

Group Art Unit: 1616

**POWER OF ATTORNEY BY ASSIGNEE  
AND EXCLUSION OF INVENTOR(S) UNDER 37 CFR § 3.71**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

Assistant Commissioner  
Washington, D.C. 20231

Sir:

The undersigned assignee of the entire interest in the above-identified subject application hereby appoints Kenneth A. Weber, Reg. No. 31,677; Ellen Lauver Weber, Reg. No. 32,762; Kevin L. Bastian, Reg. No. 34,774; Eugenia Garrett-Wackowski, Reg. No. 37,330 and Susan K. Faris, Reg. No. P-41,739; all of the firm of Townsend and Townsend and Crew LLP, as its attorneys to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith, said appointment to be to the exclusion of the inventors and their attorney(s) in accordance with the provisions of 37 CFR § 3.71.

Emil A. Tanagho, et al.  
Appln. No.: 08/994,838  
Page 2

PATENT

An assignment of the entire interest in the above-identified subject application:

☐ was recorded on \_\_\_\_\_, at reel/frame \_\_\_\_\_.

☒ is being concurrently submitted for recordation under separate cover to

Attn: Box Assignments. A copy not for recordation is enclosed herewith.

Please direct all telephone calls to Kenneth A. Weber and all correspondence relative to said application to the following address:

Townsend and Townsend and Crew LLP  
Two Embarcadero Center, 8th Floor  
San Francisco, California 94111-3834

Dated: May 5 1998

ASSIGNEE:

THE REGENTS OF THE  
UNIVERSITY OF CALIFORNIA

Signature:

Typed Name: Linda S. Stevenson

Title:

Principal Prosecution Analyst

Office of Technology Transfer  
300 Lakeside Drive, 22nd Floor  
Oakland, CA 94612-3550

ASSIGNMENTU.C. Case No. 97-262-1

For good and valuable consideration, the receipt of which is hereby acknowledged, ASSIGNOR(S),

1. Emil A. Tanagho2. Rajvir Dahiya3. Tom F. Lue4. Gerald R. Cunha

hereby sells, assigns and transfers to ASSIGNEE, The Regents of the University of California, a California Corporation, having its statewide administrative offices located 300 Lakeside Drive, 22nd Fl., Oakland, CA 94612-3550, and the successors, assigns and legal representatives of the ASSIGNEE all of its right, title and interest for the United States and its territorial possessions and in all foreign countries in and to, any and all improvements which are disclosed in the invention entitled:

ACELLULAR MATRIX GRAFTS: PREPARATION AND USE

and which is found in

- (a) \_\_\_\_\_ U.S. provisional application filed herewith and listing the above-named persons as inventors
- (b) \_\_\_\_\_ U.S. patent application filed herewith and listing the above-named persons as inventors
- (c) X \_\_\_\_\_ U.S. application serial no. 08/994,838, filed on December 19, 1997
- (d) \_\_\_\_\_ U.S. Patent No.: \_\_\_\_\_, issued \_\_\_\_\_

and any legal equivalent thereof in a foreign country, including the right to claim priority and, in and to, all Letters Patent to be obtained for said invention by the above application or any continuation, division, continuation-in-part, extension, conversion to 35 USC 111(a) or substitute thereof, and any reissue, reexamination or extension of said Letters Patent and all rights under all International Conventions for the Protection of Industrial Property;

ASSIGNOR(S) hereby covenants that no assignment, sale, agreement or encumbrance has been or will be made or entered into which would conflict with this assignment;

ASSIGNOR(S) further covenants that ASSIGNEE will, upon its request, be provided promptly with all pertinent facts and documents relating to said invention and said Letters Patent and legal equivalents as may be known and accessible to ASSIGNOR and will testify as to the same in any interference, litigation, or proceeding relating thereto and will promptly execute and deliver to ASSIGNEE or its legal representative any and all papers, instruments or affidavits required to apply for, obtain, maintain, issue or enforce said application, said invention and said Letters Patent and said equivalents thereof which may be necessary or desirable to carry out the purposes thereof. An attorney of record is authorized and requested by the execution of this assignment to insert into this assignment the filing date and serial number of said application when officially known.

AND the ASSIGNOR(S) requests the Commissioner of Patents and Trademarks to issue said Letters Patent of the United States and any reissue or extension thereof to the ASSIGNEE, The Regents of the University of California.

executed this

6 day of April, 19983 day of April, 19988 day of April, 19987 day of April, 1998

Signature of Inventor(s)

Emil A. TanaghoRajvir DahiyaTom F. LueGerald R. Cunha

01-1998

orney Docket No. 02307E-080700US

FORM PTO-1595  
(Rev. 6-93)

100723543

ER SHEET

U.S. DEPARTMENT OF COMMERCE  
Patent and Trademark Office

To the Honorable Asst. Comm.

ached original documents or copy thereof.

## 1. Name of conveying party(ies):

Emil A. Tanagho  
Rajvir Dahiya  
Tom F. Lue  
Gerald R. Cunha

## 2. Name and address of receiving party(ies):

Name:

The Regents of the University of California

Internal Address:

Street Address: 300 Lakeside Drive, 22nd Floor

City: Oakland State: CA ZIP: 94612-3550

## 3. Nature of conveyance:

- ☒ Assignment ☐ Merger  
☐ Security Agreement ☐ Change of Name  
☐ Other:

Execution Dates: 4/6/98, 4/3/98, 4/8/98, 4/7/98,  
respectivelyAdditional name(s) & address(es) attached? ☐ Yes ☒ No

## 4. Application number(s) or patent number(s).

If this document is being filed together with a new application, the execution date of the application is: December 17, 1997

A. Patent Application No.(s) 08/994,838

B. Patent No.(s)

Additional numbers attached? ☐ Yes ☒ No

## 5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Susan K. Faris  
TOWNSEND and TOWNSEND and CREW LLP  
Two Embarcadero Center, 8th Floor  
San Francisco, California 94111-3834  
(415) 576-0200

6. Total number of applications and patents involved: 1

7. Total fee (37 CFR 3.41):..... \$ 40.00

- ☐ Enclosed ☒ Charge Fees to Deposit Account  
☒ Charge any additional fees associated with this paper or during the pendency of this application, or credit any overpayment, to deposit account

8. Deposit account number: 20-1430

05/28/1998 TTON11 00000320 201430 08994838

01 FC:581 40.00 CH

DO NOT USE THIS SPACE

## 9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Susan K. Faris

Name of Person Signing

Signature

Date

Atty. Reg. No. P-41,739

Total number of pages including cover sheet, attachments, and document: 2

10. Change Correspondence Address to that of Part 5? ☐ Yes ☒ No

OMB No. 0651-0011 (exp. 4/94)

Do not detach this portion  
Mail documents to be recorded with required cover sheet information to:  
Asst. Commissioner for Patents  
Box Assignments  
Washington, D.C. 20231



**CERTIFICATE UNDER 37 C.F.R. § 3.73(b)**

Applicant: Emil A. Tanagho, et al.

Application No.: 08/994,838 Filed: December 19, 1997

For: ACELLULAR MATRIX GRAFTS: PREPARATION AND USE

The Regents of the University of California, a California corporation  
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

certifies that it is assignee of the patent application identified above by virtue of either:

A. ☒ An assignment from the inventor(s) of the patent application identified above. The assignment was recorded in the Patent and Trademark Office at Reel \_\_\_\_\_, Frame(s) \_\_\_\_\_, or for which a copy thereof is attached.

OR

B. ☐ A chain of title from the inventor(s), of the patent application identified above, to the current assignee as shown below:

1. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

2. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

3. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

☐ Copies of assignments or other documents in the chain of title are attached.

The undersigned (whose title is supplied below) is empowered to act on behalf of the assignee.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date : May 5, 1998

Name : Linda S. Stevenson

Title : Principal Prosecution Analyst

Signature : Linda S. Stevenson



307E-8807006  
UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231  
SKF

AUGUST 02, 1998

PTAS  
TOWNSEND AND TOWNSEND AND CREW LLP  
SUSAN K. FARIS  
TWO EMBARCADERO CENTER, 8TH FLOOR  
SAN FRANCISCO, CA 94111-3834



\*100723543A\*

UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION  
OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS  
AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER  
REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE  
INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA  
PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD  
FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY  
CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723.  
PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE,  
ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY,  
SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 05/08/1998

REEL/FRAME: 9199/0094  
NUMBER OF PAGES: 2

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:  
TANAGHO, EMIL A.

DOC DATE: 04/06/1998

ASSIGNOR:  
DAHIYA, RAJVIR

DOC DATE: 04/03/1998

ASSIGNOR:  
LUE, TOM F.

DOC DATE: 04/08/1998

ASSIGNOR:  
CUNHA, GERALD R.

DOC DATE: 04/07/1998

ASSIGNEE:  
CALIFORNIA, THE REGENTS OF THE  
UNIVERSITY OF  
300 LAKESIDE DRIVE, 22ND FLOOR  
OAKLAND, CALIFORNIA 94612-3550

SERIAL NUMBER: 08994838  
PATENT NUMBER:

FILING DATE: 12/19/1997  
ISSUE DATE:

RECEIVED  
AUG 10 1998  
U.S. PATENT AND TRADEMARK OFFICE

9199/0094 PAGE 2

MAURICE CARTER, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS